

## REMARKS

The specification has been amended, as shown in the attached substitute specification, to insert the "Cross-reference to Related Applications." Applicants note that this amendment does not add any new priority claim, as the priority information has already been acknowledged by the USPTO, as shown on the official filing receipt.

The substitute specification has also been amended as suggested by the Examiner, to correct certain obvious spelling errors and clarify terminology.

The revisions reflected in the substitute specification also include the amendments originally made in an Amendment filed on March 24, 2004.

Pursuant to 37 CFR 1.125(b), the substitute specification contains no new matter.

Claims 1, 5, and 7-10 have been amended to more particularly point out and distinctly claim certain embodiments of Applicants' invention and to correct typographical errors. Support for the amendments to the claims can be found throughout the specification and claims as originally filed.

No new matter has been added.

The amendment and/or cancellation of claims is without prejudice or disclaimer of the subject matter thereof and was done solely to expedite prosecution of the present application. Applicants reserve the right to pursue the original subject matter of this application in a later filed application claiming benefit of the instant application, including without prejudice to any determination of equivalents of the claimed subject matter.

### Rejections under 35 U.S.C. §112, second paragraph

The Examiner rejected claims 5, 8 and 9 as allegedly vague, stating that "it is unclear as to whether a matrix is definitely claimed." Applicants respectfully contend that the language as previously pending would be understood by one of ordinary skill in the art, as discussed in Applicants' previous response (filed July 12, 2006). However, without agreeing with the Examiner's position, and solely to expedite prosecution and

allowance of the present application, the claims have been amended to delete the language "matrix-type."

Claim 9 was rejected for reciting the word "stylene". Without agreeing with the Examiner's position, the claim (and specification) has been amended to replace "stylene" with "styrene."

Claims 1, 8 and 10 were rejected as indefinite for reciting the word "dichlorofenac." Without agreeing with the Examiner's position, the claims (and specification) have been amended to replace "dichlorofenac" with "diclofenac."

Applicants submit that the claim language is not vague or indefinite and does comply with the requirements of, *inter alia*, 35 U.S.C. §112.

Reconsideration and withdrawal of the objections is proper and such action is requested.

Conclusion

For at least the foregoing reasons, Applicants request reconsideration of the application. Early and favorable action is requested.

The undersigned requests any extension of time necessary for response. Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,

Date: November 29, 2006



---

Mark D. Russett  
Reg. No. 41, 281  
EDWARDS ANGELL PALMER & DODGE LLP  
P. O. Box 55874  
Boston, MA 02205  
Tel: (617) 439-4444  
Fax: (617) 439-4170